

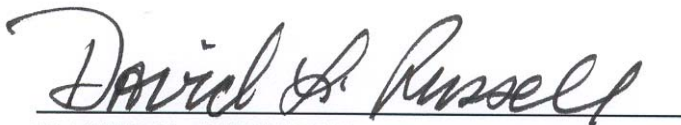
**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID BRIAN MORGAN,)	
)	
Petitioner,)	
)	
v.)	No. CIV-22-140-R
)	
UNITED STATES OF AMERICA,)	
et. al.,)	
)	
Respondents.)	

ORDER

Petitioner filed this action pursuant to 28 U.S.C. § 2254 seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) the matter was referred to United States Magistrate Judge Gary M. Purcell for preliminary review. On March 31, 2022, Judge Purcell issued a Report and Recommendation wherein he recommended that the Petition be dismissed without prejudice because Mr. Morgan failed to pay the required \$5.00 filing fee or to comply with the Court's Order that he submit an application for leave to proceed *in forma pauperis* and he further failed to respond to Judge Purcell's Order to Show Cause. (Doc. No. 8). Petitioner has not objected to the Report and Recommendation within the time limits prescribed therein, nor has he sought an extension of time in which to object. Additionally, Mr. Morgan has yet to pay the filing fee or to seek leave to proceed without prepayment of fees. Accordingly, the Report and Recommendation is hereby ADOPTED in its entirety and the Petition is DENIED WITHOUT PREJUDICE. Mr. Morgan's Motion to Address the Court is DENIED AS MOOT in light of the dismissal of the petition.

IT IS SO ORDERED this 26th day of April 2022.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE